



**[4910-13]**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2018-0016; Airspace Docket No. 17-ANM-14]**

**RIN 2120-AA66**

**Amendment of Class D and Class E Airspace; Aspen, CO**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies Class E airspace designated as an extension at Aspen-Pitkin County Airport/Sardy Field, Aspen, CO, and removes the part-time NOTAM language from the legal description. This action also amends Class E airspace extending upward from 700 feet above the surface and removes the Class E 1,200 foot airspace. Also, this action updates the airport's geographic coordinates, and replaces the term Airport/Facility Directory with Chart Supplement in the Class D airspace and Class E surface airspace legal descriptions. These changes are necessary to accommodate airspace redesign for the safety and management of instrument flight rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, February 28, 2019. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11C, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at

[http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC, 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Bonnie Malgarini, Federal Aviation Administration, Operations Support Group, Western Service Center, 2200 S 216th Street, Des Moines, WA, 98198-6547; telephone (206) 231-2329.

#### **SUPPLEMENTARY INFORMATION:**

##### **Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies Class D and E airspace at Aspen-Pitkin County Airport/Sardy Field, Aspen, CO, to support IFR operations at the airport.

##### **History**

The FAA published a notice of proposed rulemaking in the Federal Register (83 FR 21968; May 11, 2018) for Docket No. FAA-2018-0016 to modify Class E airspace designated as an extension and Class E airspace extending upward from 700 feet above the surface at Aspen-Pitkin County Airport/Sardy Field, Aspen, CO. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### **Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. FAA Order 7400.11C is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11C lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### **The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies Class E airspace designated as an extension and Class E airspace extending upward from 700 feet above the surface at Aspen-Pitkin County Airport/Sardy Field, Aspen, CO.

Class E airspace designated as an extension is modified to within 3.5 miles west and 2.7 miles east (from 2.7 miles each side) of the 340° bearing (previously 315°) from Aspen-Pitkin County Airport/Sardy Field Airport, extending from the 4.3-mile radius to 7.8 miles

north (from 7.4 miles northwest) of the airport. Also, the part-time NOTAM language is removed from the legal description since the airspace is in effect continuously.

Class E airspace extending upward from 700 feet above the surface is reduced to within 6.6 miles west and 3.2 miles east of the 354° bearing from Aspen-Pitkin County Airport/Sardy Field Airport extending to 11.1 miles north of the airport (from a much larger rectangular area defined as beginning at lat. 39°04'00"N, long. 106°40'02"W.; to lat. 39°04'00"N., long. 107°44'02"W.; to lat. 39°39'00"N., long. 107°44'02"W.; to lat. 39°39'00"N., long. 106°40'02"W., to the point of beginning). Also, Class E airspace extending upward from 1,200 feet is removed as this airspace is contained in the Denver Class E en route airspace area.

The geographic coordinates of the airport also are updated for the Class D and E airspace areas. An editorial change also is made to the Class D and Class E surface area airspace legal descriptions replacing Airport/Facility Directory with Chart Supplement.

These changes are necessary to accommodate airspace redesign for the safety and management of IFR operations under standard instrument approach procedures at the airport.

## **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air

traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### **Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

### **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### **PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### **§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, is amended as follows:

Paragraph 5000. Class D Airspace.

\* \* \* \* \*

**ANM CO D Aspen, CO [Amended]**

Aspen-Pitkin County Airport/Sardy Field, CO

(lat. 39°13'19"N., long. 106°52'06"W.)

That airspace extending upward from the surface to and including 10,300 feet MSL within a 4.3-mile radius of Aspen-Pitkin County Airport/Sardy Field. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6002. Class E Airspace Designated as Surface Areas.

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**ANM CO E2 Aspen, CO [Amended]**

Aspen-Pitkin County Airport/Sardy Field, CO

(lat. 39°13'19"N., long. 106°52'06"W.)

That airspace extending upward from the surface within a 4.3-mile radius of Aspen-Pitkin County Airport/Sardy Field. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6004. Class E Airspace Designated as an Extension to a Class D or Class E Surface Area.

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**ANM CO E4 Aspen, CO [Amended]**

Aspen-Pitkin County Airport/Sardy Field, CO

(lat. 39°13'19"N., long. 106°52'06"W.)

That airspace extending upward from the surface within 3.5 miles west and 2.7 miles east of the 340° bearing from Aspen-Pitkin County Airport/Sardy Field, extending from the 4.3-mile radius to 7.8 miles north of the airport.

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

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**ANM CO E5 Aspen, CO [Amended]**

Aspen-Pitkin County Airport/Sardy Field, CO

(lat. 39°13'19"N., long. 106°52'06"W.)

That airspace extending upward from 700 feet above the surface within 6.6 miles west and 3.2 miles east of the 354° bearing from Aspen-Pitkin County Airport/Sardy Field extending from the airport to 11.1 miles north of the airport.

Issued in Seattle, Washington, on November 30, 2018.

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[FR Doc. 2018-26804 Filed: 12/13/2018 8:45 am; Publication Date: 12/14/2018]